

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
EUREKA DIVISION

RONALD EARL PLOOF,
Plaintiff,

v.

INTERNAL REVENUE SERVICE, et al.,
Defendants.

Case No. 15-cv-06040-NJV

**ORDER DISMISSING REMAINING
DEFENDANTS AND DIRECTING
CLERK TO CLOSE CASE**

Defendants the Internal Revenue Service; John Koskinen, Commissioner of the Internal Revenue Service; Congressman Jared Huffman; the United States Securities and Exchange Commission; Jack Hardy; Roy Sheetz, and Amy Rosenthal were previously dismissed from this action for lack of subject matter jurisdiction. (Doc. 23.)

Federal Rule of Civil Procedure 4(m) provides:

If a defendant is not served within 90 days after the complaint is filed, the court--on motion or on its own after notice to the plaintiff--must dismiss the action without prejudice against that defendant or order that service be made within a specified time.

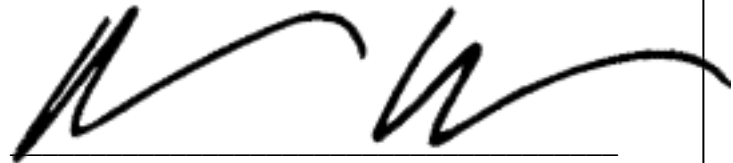
This action was filed on December 23, 2015. Plaintiff has not served any of the remaining Defendants. On two separate occasions, Plaintiff has been alerted to the need to serve Defendants pursuant to the Federal Rules of Civil Procedure. First, on February 11, 2016, the Clerk mailed Plaintiff a copy of the court's Handbook for Pro Se Litigants, which contains instructions regarding service of process. Second, the federal Defendants raised the issue of failure to serve in their Motion to Dismiss. (Doc. 17.) Despite being thus informed of the requirements of service of

process, Plaintiff has not served the remaining named Defendants.

Accordingly, IT IS HEREBY ORDERED that the remaining Defendants are dismissed from this action pursuant to Fed.R.Civ.P. 4(m) without prejudice to Plaintiff's right to pursue a separate action against them. Because no Defendants remain in this case, the Clerk is directed to enter judgment and to terminate this case.

IT IS SO ORDERED.

Dated: May 24, 2016.

A handwritten signature in black ink, appearing to read 'NANDOR J. VADAS', is written over a horizontal line.

NANDOR J. VADAS
United States Magistrate Judge